



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

URGENT MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

October 20, 2016

Mr. Brian Bernosky, Environmental Manager
Maine Air National Guard 101st Air Refuel Wing
99 Glenn Avenue
Bangor, ME 04401

RE: **NOTICE OF VIOLATION** of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA) and State of Maine Hazardous Waste Management Rules, Chapter 850-860.

Dear Mr. Bernosky:

On September 20, 2016, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection. The purpose of this inspection was to determine the compliance of Maine Air National Guard 101st Air Refuel Wing, EPA ID No. ME6572890022, with State of Maine Hazardous Waste Management Rules, Chapter 850-860 and the federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The State of Maine has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of State of Maine Hazardous Waste Management Rules, Chapter 850-860 and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The violations are set forth below:

- Failure to close a hazardous waste container in two Satellite Accumulation Areas (SAA) when not actively adding waste, as required by 40 CFR §265.173, which is adopted and incorporated by reference, through Maine Rules 06-096, Ch. 851 §8(B)(2) and Ch. 855 §(9)(C).

At the time of the inspection, (1) 15-gallon container-with-funnel of hazardous waste at the "Whiskey Ramp" SAA, and, (1) 15-gallon container-with-funnel of hazardous waste at the "Heavy Duty Ramp" SAA were found open.

- Failure to take precautions to prevent accidental ignition or reaction of ignitable or reactive waste, as required by 40 CFR §265.176 and 40 CFR §265.17(a), which are adopted and incorporated by reference, through Maine Rules 06-096, Ch. 851 §8(B)(2) and Ch. 855 §(9)(C).

At the time of the inspection, (1) 8-gallon, yellow plastic container with red funnel, labelled

"Hazardous Waste" and "Gasoline", near a floor drain in the Vehicle Maintenance Building SAA, did not have precautions if the ignitable waste container breaks or leaks.

- Failure to perform weekly inspections of all containers of hazardous waste, including containers at satellite accumulation areas. Inspections shall be made and recorded in a log book which shall be kept at the facility, as required by Maine Rules 06-096, Ch. 851 §13(D)(1).

At the time of the inspection, one inspection log in one Satellite Accumulation Area in the Civil Engineering Building exceeded the weekly inspection requirement, and, one inspection log posted in one Satellite Accumulation Area in the Vehicle Maintenance Building did not identify the month of the inspections.

- Failure to store universal wastes for no more than one year from the date the waste is first placed in the container or collection container, as required by Maine Rules 06-096, Ch. 858 §(7)(M).

At the time of the inspection the facility did not dispose one container of waste universal lamps within one year from the UWSA in the Civil Engineering Building and, did not dispose one container of waste universal lamps within one year from the HWSA.

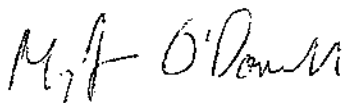
Maine Air National Guard 101st Air Refuel Wing must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address requirements 1 through 3 above. Submit the information to:

Donald MacLeod, Environmental Engineer
U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES05-4)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. §6928. If you have any questions regarding this NOTICE, please contact Donald MacLeod, of my staff, at 617-918-1405.

Sincerely,



Mary Jane O'Donnell, Manager
RCRA, EPCRA & Federal Programs Unit

cc: Michael Hudson, MEDEP
File